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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/574,859
Filing Date	April 6, 2006
First Named Inventor	Robin R. ODER, et al.
Art Unit	1723
Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number 4042-060816

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Form PTO/SB/08A & B
	<input type="checkbox"/> Landscape Table on CD	Copies of Foreign Patents and Referenced Articles
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Webb Law Firm		
Signature			
Printed Name	Barbara E. Johnson		
Date	March 6, 2007	Reg. No.	31,198

CERTIFICATE OF TRANSMISSION / MAILING

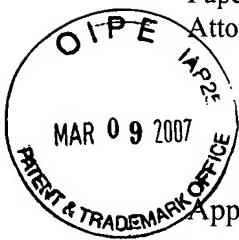
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Christine A. Canavan	Date	March 6, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No. 10/574,859
Paper dated: March 6, 2007
Attorney Docket No. 4042-060816



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/574,859
Applicants : Robin R. ODER, et al.
Filed : April 6, 2006
Title : APPARATUS AND METHOD FOR CONTINUOUS
SEPARATION OF MAGNETIC PARTICLES FROM
NON-MAGNETIC FLUIDS
Group Art Unit : 1723
Examiner : Not Yet Assigned
Customer No. : 28289

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants hereby submit this Information Disclosure Statement together with completed forms PTO/SB/08A-B and copies of the references cited therein, excluding United States Patents and United States Published Patent Applications. The cited United States patents are not enclosed pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for United States national patent applications filed after June 30, 2003.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 6, 2007.

Christine A. Canavan

(Name of Person Mailing Paper)

Christine A. Canavan

Signature

03/06/2007

Date

Application No. 10/574,859
Paper dated: March 6, 2007
Attorney Docket No. 4042-060816

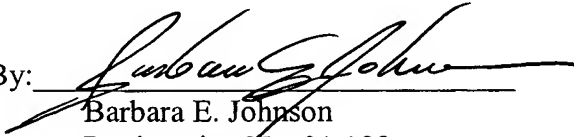
This application is the United States national phase application of PCT Application Number PCT/US2004/33387, filed October 14, 2004. WO 03/064052 is listed on PTO/SB/08A because it was first cited in an International Search Report (ISR) dated February 18, 2005. A copy of the ISR is not being submitted with this Information Disclosure Statement as it was received by the United States Patent and Trademark Office, as indicated in the Notice of Acceptance of Application under 35 U.S.C. §371 and 37 CFR §1.494 or §1.495, dated December 6, 2006.

United States Patent No. 4,605,678; R.R. Oder and C.R. Price, "Brightness Beneficiation of Kaolin Clays by Magnetic Treatment," TAPPI 56, 75 (1973); R.R. Oder, "High Gradient Magnetic Separation: Theory and Applications," IEEE Transactions on Magnetics, Vol. MAG-12, No. 5, pp.418-425 (September, 1976); United States Patent No. 5,868,939, WIPO Application No. PCT/US03/02877 (WO 03/064052); United States Patent No. 6,068,760, and "Adsorption and Collective Paramagnetism" by Pierce W. Selwood p. 53 Academic Press, New York, 1962 are cited on pages 1-3 and 12 of the specification and are relevant for the reasons specified therein.

Pursuant to 37 C.F.R. §1.97(a)(4), no fee is believed to be due for the submission of this Information Disclosure Statement because it is being submitted before the mailing date of a first Office Action on the merits. However, the Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees which may be required to deposit account number 23-0650. One original and two copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM, P.C.

By: 

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PTO/SB/08A (09-06)

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1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/574,859
				Filing Date	April 6, 2006
				First Named Inventor	Robin R. ODER, et al.
				Art Unit	1723
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	4042-060816

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 6,068,760	05/30/2000	Benham, et al.	
		US- 5,868,939	02/09/1999	Oder, et al.	
		US- 4,605,678	08/12/1986	Brennan, et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 03/064052	08/07/2003	Ex-Portech Company, Inc.		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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{W0340842.1}

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Substitution for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/574,859
				Filing Date	April 6, 2006
				First Named Inventor	Robin R. ODER, et al.
				Art Unit	1723
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	4042-060816

[illegible]

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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